

**AMENDMENTS TO THE CLAIMS**

1. (original) Microcapsules suitable for administration to a human or animal which microcapsules harbour cells containing a polynucleotide construct, said construct comprising:
  - (a) a promoter which is responsive to ecdysone or an analog thereof and which is operably linked to a coding sequence for a nitric oxide synthase (NOS) or a functional variant thereof; or
  - (b) a promoter operably linked to one or more tetracycline operator site sequences and a coding sequence in that order, wherein the coding sequence encodes a nitric oxide synthase (NOS) or a functional variant thereof.
2. (original) Microcapsules according to claim 1, wherein the construct is incorporated into a vector.
3. (original) Microcapsules according to claim 1, wherein the microcapsules comprise at least one of alginate, acrylic, hydroxyethyl-methacrylate-methyl-methacrylate, polyphosphazene or agarose.
4. (currently amended) Microcapsules according to claim 1, wherein the microcapsules contain an average of from 1 to  $1 \times 10^7$  cells per microcapsule.
5. (currently amended) Microcapsules according to claim 1, wherein [which are] the microcapsules are substantially spherical microcapsules or substantially cylindrical microcapsules.
6. (original) Microcapsules according to claim 5 which are substantially spherical microcapsules having an average diameter of from 0.01 to 4.0 mm.
7. (original) Microcapsules according to claim 5 which are cylindrical microcapsules having an average length of from 0.1 to 20 mm and an average outer diameter of from 0.1 to 4.0 mm.

Claims 8 to 10 (canceled)

11. (original) A pharmaceutical composition comprising microcapsules according to claim 1 and a pharmaceutically acceptable carrier or diluent.
12. (original) A method of delivering microcapsules to a host comprising administering microcapsules according to claim 1.
13. (original) A method of treating a host suffering from a condition associated with deficient NO production, which method comprises administering ecdysone or an analog thereof to a host which harbours microcapsules as defined in claim 1.
14. (original) A product containing microcapsules according to claim 1 and ecdysone or an analog thereof as a combined preparation for simultaneous, separate or sequential use in the treatment of a condition associated with deficient NO production.

Claims 15 to 25 (canceled)

26. (currently amended) A process for preparing microcapsules [comprising encapsulating cells according to claim 22], which method comprises encapsulating a cell, said cell harbouring a polynucleotide construct comprising:

- (a) a promoter operably linked to a coding sequence, wherein the promoter is responsive to ecdysone or an analog thereof and the coding sequence encodes a nitric oxide synthase (NOS) or a functional variant thereof; or
- (b) a promoter operably linked to one or more tetracycline operator site sequences and a coding sequence in that order, wherein the coding sequence encodes a nitric oxide synthase (NOS) or a functional variant thereof.